

MOST IMMEDIATE/TIMED

OFFICE OF THE COMMISSIONER OF POLICE : DELHI.

No. _____/C&T(AC-IV)PHQ, dated Delhi the _____/2013.

To

Addl. Cs.P/Dy. Commissioners of Police,
All Districts/Units,
New Delhi.

Subject:- **Regarding destruction and Damage to Public Properties in the name of agitations, Bandhs, Hartals etc. – guidelines for prevention of such destructive activities.**

Memo.

A copy of guidelines on the above subject received from Sh. Rakesh Singh, Joint Secretary to the Govt. of India, Ministry of Home Affairs, IS-I Division, North Block, New Delhi vide No. 11034/01/2013-IS-IV dated 06.05.2013 is enclosed herewith for information and necessary action as directed by Hon'ble Supreme Court of India.

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14/5/13
(PRIYA MITRA KAUSHIK) ACP/C&T
For Deputy Commissioner of Police,
Headquarters: Delhi.

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Encls: As above.

No. 15181-200/C&T(AC-IV)PHQ, dated Delhi the 13/5/2013.

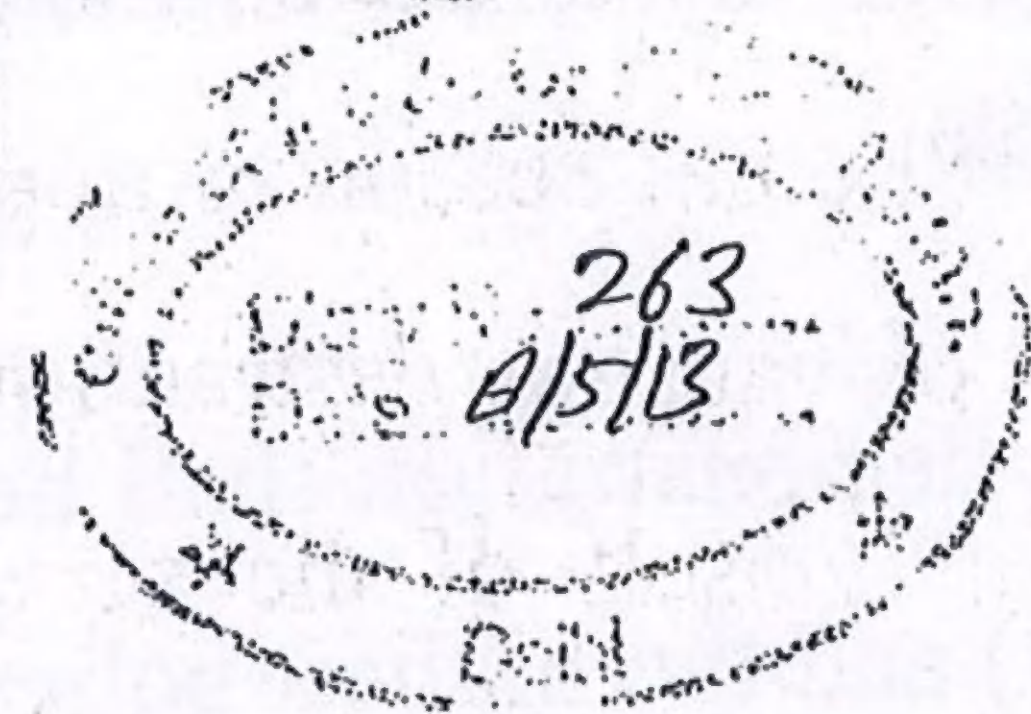
Copy alongwith copy of above guidelines forwarded for information and necessary action to:-

1. S.O./P.S. to C.P./Delhi for inf.
2. Addl.DCP/IT Centre.
3. S.Os to All Spl. CsP.
4. S.Os to All Jt. CsP.
5. S.Os to All Addl. CsP.
6. I/C Court Cell/PHQ w.r.t. his U.O. No.2041/Court Cell/C&T Br./PHQ dated 31.05.2011.
7. I/C Record Branch/PHQ.

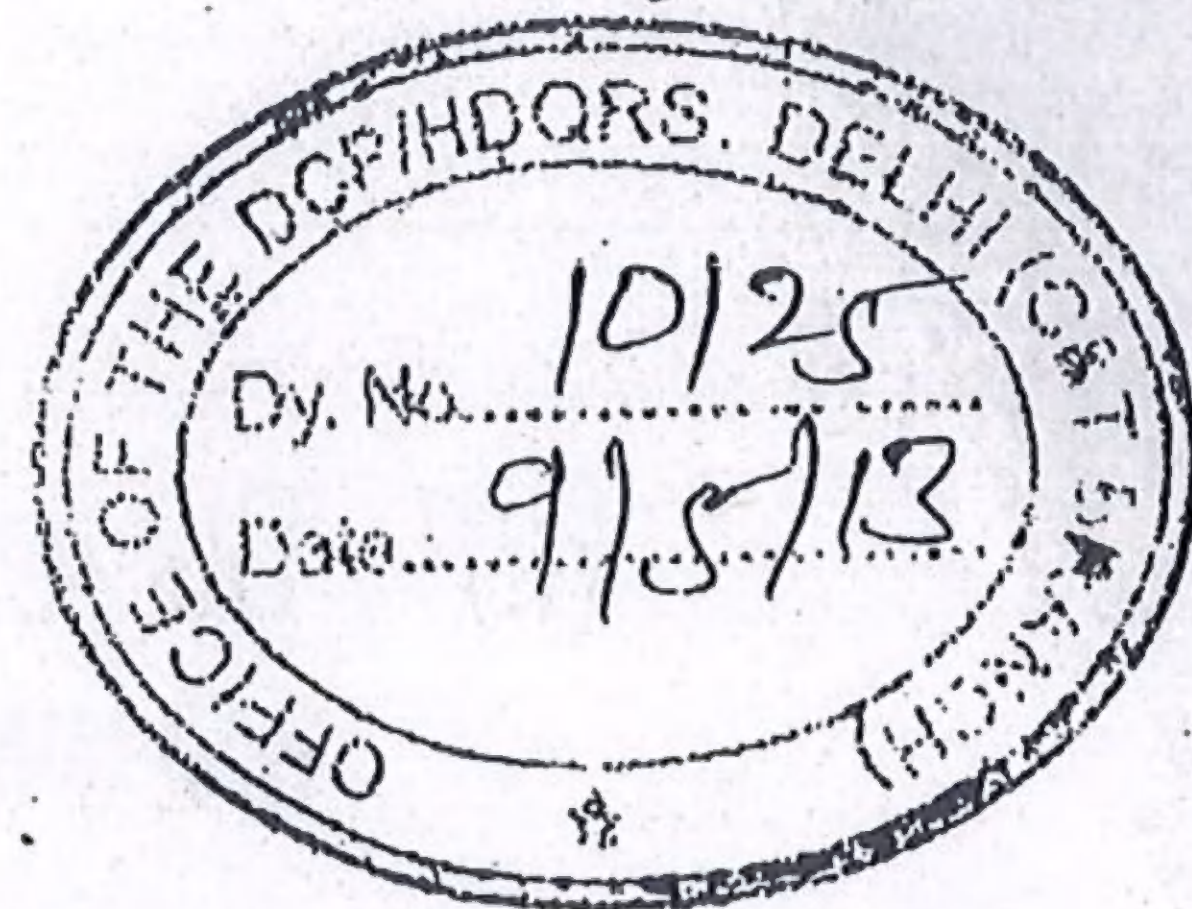
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(PRIYA MITRA KAUSHIK) ACP/C&T
For Deputy Commissioner of Police,
Headquarters: Delhi.

Encls: As above.

DOCUMENTS RELEASED
BY PHQ UNDER RTI ACT-2003



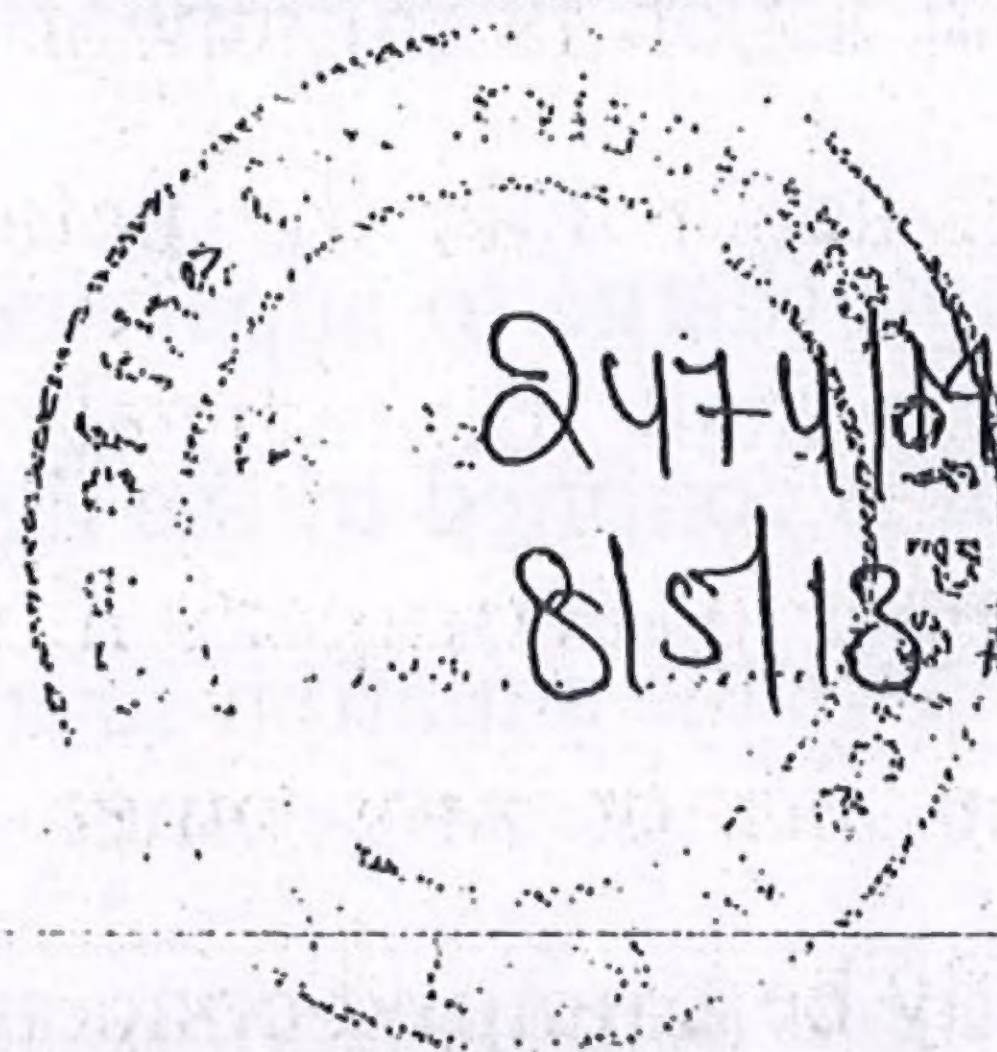
No.11034/01/2013-IS-IV
Government of India
Ministry of Home Affairs
IS-I Division



North Block, New Delhi
the 06th May, 2013

To

The Chief Secretaries
All State Govts. / UTs



DCP/H.Q.
Subject : Destruction and Damage to Public Properties in the name of agitations, Bandhs, Hartals etc. – guidelines for prevention of such destructive activities - regarding.

Sir/Madam

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The Hon'ble Supreme Court of India taking a serious note of various instances where there was large scale destruction of public and private properties in the name of agitations, bandhs, hartals and the like vide order dated 16.04.2009 in WP(Crl.) No.77/2007 in the matter of Destruction of Public & Private properties Vs State of A.P. and Ors. directed that the following guidelines should be observed as soon as there is a demonstration organized to effectuate the modalities for preventive action and adding teeth to enquiry/investigation :

- (i) If the officer in charge of a police station or other law enforcing agency is of the opinion that any direct action, either declared or undeclared has the potential of causing destruction or damage to public property, he shall avail himself of the services of video operators. For this purpose each police station shall be empowered to maintain a panel of local video operators who could be made available at short notices.

DOCUMENTS RELEASED
BY PHQ UNDER RTI ACT-2005

(vii) The police and State Government shall ensure videography of such protests to the maximum extent possible.

(viii) The person in charge to supervise the demonstration shall be the SP (if the situation is confined to the district) and the highest police officer in the State, where the situation stretches beyond one district.

(ix) In the event that demonstrations turn violent, the officer-in-charge shall ensure that the events are videographed through private operators and also request such further information from the media and others on the incidents in question.

(x) The Police shall immediately inform the State Government with reports on the events, including damage, if any caused.

(xi) The State Government shall prepare a report on the police reports and other information that may be available to it and shall file a petition including its reports in the High Court or Supreme Court as the case may be for the Court in question to take suo motu action.

2. Though 'Police' and 'Public Order' are State subjects under the Seventh Schedule(List-II) to the Constitution of India, the Union Government attaches highest importance to prevention of crime. Therefore has been advising the State Governments/Union Territory Administration from time to time to give more focused attention to the administration of the criminal justice system with emphasis on prevention and control of crime.

as provided in the Noise Pollution (Regulation and Control) Rules, 2000 framed under the Environment (Protection) Act, 1986 and in compliance of Supreme Court orders.

20. The licensee shall be responsible to keep his followers under control, failing which he will be prosecuted under the law.
21. No animal like horses, elephants, camels, etc. would be allowed in a rally/procession.
22. Crackers, firing by weapons, etc., is prohibited in any procession.
23. In the event of non-compliance of any of the above conditions/restrictions, the procession/meeting/gathering/religious procession/religious function shall be declared as unlawful and prosecution would be launched against the violators. Regarding use of loudspeakers, action would be taken as per provisions of Noise Pollution (Regulation and Control) Rules, 2000 framed under the Environment (protection) Act, 1986.

DOCUMENTS RELEASED
BY PHQ UNDER RTI ACT-2008